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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/767,184	FITZGIBBON, JAMES J.
	Examiner	Art Unit	
	Scott Au	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>29 January 2004</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-55</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-55</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>29 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

The application of Fitzgibon for an "Image recognition facilitated movable barrier

operations method and apparatus" filed Jan 29, 2004 has been examined.

Claims 1-55 are pending.

Claim Objections

Claims 7-8 are objected to because of the following informalities: Claims 7 and 8

are redundant. Appropriate correction is required.

Claim 24 is objected to because of the following informalities: limitation "the

automatic image recognizer comprises a non-visible light automatic image recognizer"

is not described in the specification. Further support is required.

Claim 52 is objected to because of the following informalities: Claim 52, limitation

"operate a least a" should be changed to "operate at least a". Appropriate correction is

required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-18 and 21-24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hsu et al. (US# 6,014,410) in view of Saito et al. (US# 6,980,672).

Referring to claim 1, Hsu et al. disclose an apparatus comprising: a movable

barrier operator; a movable barrier operator wireless remote control; an automatic

image recognizer operably coupled to the moveable barrier operator wireless remote

control (col. 4 lines 26-46).

However, Hsu et al. did not explicitly disclose the automatic image coupled to the

moveable barrier operator.

In the same field of endeavor of remote control system, Saito et al. disclose the

automatic image coupled to the moveable barrier operator (col. 29 line 15 to col. 30

line 15; see Figure 43).

One ordinary skill in the art understands that the automatic image coupled to the

moveable barrier operator of Saito et al. is desirable in the operation system of Hsu et

al. because Hsu et al. teach the biometric is at the remote controller (14) and Saito et

al. the biometric sensor is attached to the garage controller device (i.e. see Figure 43)

in order provide convenience to the user.

Referring to claim 2, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 1, Saito et al. teach the wherein the automatic image recognizer operably

couples to the movable barrier operator (col. 29 line 66 to col. 30 line 8).

Referring to claim 3, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 1, Hsu et al. disclose wherein the automatic image recognizer operably

couples to the movable barrier operator wireless remote control (i.e. See Figure 1).

Referring to claim 4, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 1, Saito et al. teach wherein the automatic image recognizer comprises

an image capture device (col. 29 lines 15-22).

Referring to claim 5, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 4, Hsu et al. disclose wherein the image capture device comprises a

digital image capture device (col. 5 lines 26-45).

Referring to claim 6, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 4, Saito et al. teach wherein the image capture device is remotely

disposed with respect to the movable barrier operator (col. 29 line 66 to col. 30 line 8) .

Referring to claim 7, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 6, Hsu et al. disclose wherein the image capture device is operably

coupled to the movable barrier operator by a wireless link (i.e. See Figure 1).

Referring to claim 8, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 6, Hsu et al. disclose wherein the image capture device is operably coupled to

the movable barrier operator by a wireline link (i.e. See Figure 1).

Referring to claim 9, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 4, Hsu et al. disclose wherein the image capture device is integrally

disposed with respect to the movable barrier operator wireless remote control (i.e. See

Figure 1).

Referring to claim 10, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 4, Hsu et al. disclose wherein the image capture device is remotely

disposed with respect to the movable barrier operator wireless remote control (i.e. See

Figure 1).

Referring to claim 11, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 10, Hsu et al. disclose wherein the image capture device is operably

coupled to the movable barrier operator wireless remote control by a wireless link (i.e.

See Figure 1).

Referring to claim 12-13, Hsu et al. in view of Saito et al. disclose the apparatus

of claim 4, it is obvious upon designer's choice and Saito et al. teach wherein the

image capture device comprises a stationary platform or a movable platform.

Referring to claim 14, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 13, Hsu et al. disclose wherein the image capture device is responsive

to movement instructions as sourced by the movable barrier operator

(col. 29 line 66 to col. 30 line 8).

Referring to claim 15, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 4, it is obvious Saito et al. disclose the automatic image recognizer in devices 24

and 25 (i.e. see Figure 32, col. 23 lines 9-12 and col. 24 lines 1-9).

Referring to claim 16, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 4, Saito et al. disclose wherein the image capture devices is operably coupled to

the movable barrier operator (col. 29 line 15 to col. 30 line 15; see Figure 43) and Hsu

et al. disclose an image capture devices is operably coupled to the movable barrier

operator wireless remote control (col. 4 lines 26-46).

Referring to claim 17, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 15, Saito et al. disclose one image capture device coupled to the movable barrier

(i.e. see Figure 43). It's conventional in the art for one ordinary skill in the art to have

one image capture device or plurality of image capture devices coupled to the movable

barrier.

Referring to claim 18, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 15, Hsu et al. disclose one image capture device coupled to the movable barrier

wireless remote control (i.e. see Figure 2). It's conventional in the art for one ordinary

skill in the art to have one image capture device or plurality of image capture devices

coupled to the movable barrier wireless remote control.

Referring to claim 21, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 1, Saito et al. disclose wherein at least one of the movable barrier operator and

the movable barrier operator wireless remote control have an image capture user

interface such that a user can cause capture of at least one image to be used to

facilitate provision of the predetermined image standard (col. 23 lines 1-12, col. 9 lines

15-22 and col. 29 line 66 to col. 30 line 8).

Referring to claim 22, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 1, Saito et al. disclose wherein at least one of the movable barrier operator and

the movable barrier operator wireless remote control further comprises a memory that

contains information corresponding to at least one predetermined image standard (col.

23 lines 1-12).

Referring to claim 23, Hsu et al. in view of Saito et al. disclose the apparatus of claim 1, Saito et al. disclose wherein the automatic image recognizer comprises a visible light automatic image recognizer (col. 30 lines 1-8).

Referring to claim 24, Hsu et al. in view of Saito et al. disclose the apparatus of claim 1, Saito et al. disclose wherein the automatic image recognizer comprises a visible light automatic image recognizer (col. 30 lines 1-8) and it is obvious upon the designer 's choice to have it non-visible light.

Claims 25-32,35-45,49,52, and 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. (US# 6,014,410) in view of Kawan et al. (US# 7,039,812) and Saito et al. (US# 6,980,672).

Referring to claim 25, Hsu et al. disclose a method comprising: providing information that corresponds to at least one predetermined image standard regarding a position of a movable object with respect to a movable barrier operator; providing information that corresponds to a substantially current image; determining whether at least some information in the substantially current image matches information in the at least one predetermined image standard; and, automatically initiating an action is at a movable barrier operator wireless remote control (col. 4 lines 26-46).

However, Hsu et al. did not explicitly disclose method of determining by at least a predetermined threshold to provide a match detected signal; and in response to the

match detected signal, automatically initiating an action is at a movable barrier operator control.

In the same field of endeavor of garage door system, Kawan et al. teach determining the biometric data by at least a predetermined threshold to provide a match detected signal in order to operate the garage door system (col. 9 lines 33-67 and col. 10 lines 39-49). Therefore, it would have been obvious to one of ordinary skill in the art the time of the invention to have determining biometric data based on the threshold of the data in order provide higher security of the garage door system.

However, Hsu et al. in view of Kawan et al. did not explicitly disclose the method in response to the match detected signal, automatically initiating an action of a movable barrier operator control.

In the same field of endeavor of remote control system, Saito et al. disclose the automatic image coupled to the moveable barrier operator (col. 29 line 15 to col. 30 line 15; see Figure 43).

One ordinary skill in the art understands that the automatic image coupled to the moveable barrier operator of Saito et al. is desirable in the operation system of Hsu et al. in view of Kawan et al. because Hsu et al. teach the biometric is at the remote controller (14) and Saito et al. the biometric sensor is attached to the garage controller device (i.e. see Figure 43) in order provide convenience to the user.

Referring to claim 26, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Saito et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises capturing

an image and providing the image to the movable barrier operator (col. 29 line 66 to

col. 30 line 9).

Referring to claim 27, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Hsu et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises capturing

an image and providing the image to the movable barrier operator wireless remote

control (i.e. see Figure 2).

Referring to claim 28, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Saito et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises providing

information that corresponds to a plurality of predetermined image standards

regarding at least one position of a movable object with respect to a movable

barrier operator (col. 29 line 66 to col. 30 line 9).

Referring to claim 29, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Saito et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises providing

information that corresponds to at least one predetermined image standard regarding a

view of the movable object (col. 29 line 66 to col. 30 line 9).

Referring to claim 30, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Saito et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises providing

information that corresponds to at least one predetermined image standard regarding a

view from a vantage point of the movable object (col. 29 line 66 to col. 30 line 9).

Referring to claim 31, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Saito et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises storing the

information at the movable barrier operator (col. 29 lines 25-22).

Referring to claim 32, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Hsu et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises storing the

information at the movable barrier operator wireless remote control (col. 5 lines 1-20).

Referring to claims 35-36, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Saito et al. teach the memory 14 of the control device maintain about 5 to 10 user (col. 6 lines 62-67), Saito et al. teach the control device can control plurality of devices (i.e. see Figure 32). Therefore, it is obvious different authorized user can control the controlled devices.

Referring to claim 37, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Saito et al. disclose wherein the movable object comprises a terrestrial vehicle (col. 10 lines 1-2).

Referring to claim 38, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Saito et al. disclose wherein providing information that corresponds to a substantially current image further comprises capturing the substantially current image using an image capture device that is operably coupled to the movable barrier operator (col. 29 line 66 to col. 30 line 9).

Referring to claim 39, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Hsu et al. disclose wherein providing information that corresponds to a substantially current image further comprises capturing the

substantially current image using an image capture device that is operably coupled to

the movable barrier operator wireless remote control (col. 5 lines 1-20).

Referring to claim 40, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Kawan et al. teach wherein determining whether at least some

information in the substantially current image matches information in the at

least one predetermined image standard by at least a predetermined threshold to

provide a match detected signal further comprises determining the predetermined

threshold as a function, at least in part, of a user manipulable threshold

adjustment setting (col. 9 lines 30-64).

Referring to claim 41, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Kawan et al. teach wherein determining whether at least some

information in the substantially current image matches information in the at

least one predetermined image standard by at least a predetermined threshold to

provide a match detected signal further comprises determining whether at least

some information in the substantially current image matches information in the

at least one predetermined image standard by at least a predetermined

percentage to provide a match detected signal (col. 9 lines 30-64).

Referring to claim 42, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Kawan et al. teach wherein determining whether at least some

information in the substantially current image matches information in the at

least one predetermined image standard by at least a predetermined threshold to

provide a match detected signal further comprises: comparing information

regarding a first substantially current image with information regarding a

second substantially current image to determine whether the movable object and

movable barrier operator presently appear to be drawing closer to one another (col. 9

lines 30-64).

Referring to claim 43, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Hsu et al. disclose wherein providing information that

corresponds to at least one predetermined image standard regarding a position of a

movable object with respect to a movable barrier operator further comprises: detecting

user assertion of a wireless remote control transmit button; responding to the

assertion by capturing an image to provide a captured image; using the

captured image to provide the information that corresponds to the at least one

predetermined image standard (col. 5 lines 1-20).

Referring to claim 44, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25, Hsu et al. disclose wherein automatically initiating an action

further comprises causing the movable barrier operator wireless remote control to

transmit a signal (col. 5 lines 1-20).

Referring to claim 45, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 44, Hsu et al. disclose wherein causing the movable barrier operator wireless remote control to transmit a signal further comprises causing the movable barrier operator wireless remote control to transmit a command signal intended for the movable barrier operator (col. 5 lines 1-20).

Referring to claim 49, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Satio et al. disclose wherein automatically initiating an action further comprises causing the movable barrier operator to automatically initiate movement of a movable barrier (col. 30 lines 1-27)

Referring to claim 52, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Satio et al. disclose wherein automatically initiating an action further comprises causing the movable barrier operator to automatically operate at least a first light in a predetermined manner (col. 30 lines 1-27).

Referring to claim 54, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25, Satio et al. disclose further comprising determining a time to next provide information that corresponds to a next substantially current image (col. 10 lines 37-56).

Referring to claim 55, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 54, Satio et al. disclose wherein determining a time to next provide

information that corresponds to a next substantially current image further comprises

determining the time as a function, at least in part, of similarity between at least two

previous images (col. 10 lines 37-56).

Claims 33-34, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hsu et al. (US# 6,014,410) in view of Kawan et al. (US# 7,039,812) and Saito et al.

(US# 6,980,672) as applied to claim 25 above, and further in view of O'Connor et al.

(US# 6,938,159).

Referring to claim 33, Hsu et al. in view of Kawan et al. and Saito et al. disclose

the method of claim 25. However, Hsu et al. in view of Kawan et al. and Saito et al. did

not explicitly disclose the method of modifying an original image regarding the position

of the movable object with respect to the movable barrier operator.

In the same field of endeavor of authentication system, O'Connor et al. disclose

the method of modifying an original image regarding the position of the movable object

with respect to the movable barrier operator (col. 6 line 61 to col. 7 line 8).

One ordinary skill in the art understands that modification data of O'Connor et al.

is desirable in the security system of Hsu et al. in view of Kawan et al. and Saito et al.

because Hsu et al. in view of Kawan et al. and Saito et al. and O'Connor et al. disclose

the used of biometric data for authentication a secured system and O'Connor et al.

teach the modification of the biometric data in order to established and update of the identify reference.

Referring to claim 34, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25. O'Connor et al. disclose wherein modifying an original image regarding the position of the movable object with respect to the movable barrier operator further comprises modifying the original image to simulate a specific environmental context (col. 6 line 61 to col. 7 line 8).

Referring to claim 53, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25. Hsu et al. disclose wireless device, and O'Connor et al. disclose further comprising, in the absence of the match detected signal but in the presence of a movable barrier movement remote control signal to the movable barrier operator, automatically storing a substantially current image of the movable object (col. 6 line 61 to col. 7 line 8).

Claims 46-48 and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. (US# 6,014,410) in view of Kawan et al. (US# 7,039,812) and Saito et al. (US# 6,980,672) as applied to claim 25 above, and further in view of Pertunnen et al. (US# 6,891,467).

Referring to claim 46, Hsu et al. in view of Kawan et al. and Saito et al. disclose the method of claim 25. However, Hsu et al. in view of Saito et al. and Kawan et al. did not explicitly disclose the wherein automatically initiating an action further comprises: at the movable barrier operator wireless remote control: transmitting a first signal; monitoring for a predetermined response from the movable barrier operator; upon detecting the predetermined response, transmitting a second signal.

In the same field of endeavor of operating system, Pertunnen et al. disclose wherein automatically initiating an action further comprises: at the movable barrier operator wireless remote control: transmitting a first signal; monitoring for a predetermined response from the movable barrier operator; upon detecting the predetermined response, transmitting a second signal (col. 6 lines 5-24).

One ordinary skill in the art understands that at transponder transmitting a first signal; monitoring for a predetermined response from the vehicle lock system; upon detecting the predetermined response, transmitting a second signal of Pertunnen et al. is desirable in the security system of Hsu et al. in view of Kawan et al. and Saito et al. because Hsu et al. disclose the security system can be used to secure an access (col. 1 lines 1-40) and Pertunnen et al. teach at transponder transmitting a first signal; monitoring for a predetermined response from the vehicle lock system; upon detecting the predetermined response, transmitting a second signal in order to increase the secure system to higher level of operation.

Referring to claim 47, Hsu et al. in view of Kawan et al., Saito et al. and Pertunnen et al. disclose the method of claim 46, Pertunnen et al. teach wherein monitoring for a predetermined response from the movable barrier operator further comprises using an image capture device to monitor for the predetermined response (col. 6 lines 5-24).

Referring to claim 48, , Hsu et al. in view of Kawan et al., Saito et al. and Pertunnen et al. disclose the method of claim 46, Pertunnen et al. teach wherein transmitting a second signal further comprises transmitting a movable barrier movement command signal (col. 6 lines 5-24).

Referring to claim 50, Hsu et al. in view of Kawan et al., Saito et al. and Pertunnen et al. disclose the method of claim 25, Pertunnen et al. teach wherein automatically initiating an action further comprises causing the movable barrier operator to transmit a signal to the movable barrier operator wireless remote control (col. 4 lines 25-38; see Figure 1).

Referring to claim 51, Hsu et al. in view of Kawan et al., Saito et al. and Pertunnen et al. disclose the method of claim 50, Pertunnen et al. teach wherein the signal comprises status information (col. 4 lines 25-38; see Figure 1).

Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hsu et al. (US# 6,014,410) in view of Saito et al. (US# 6,980,672) as applied to claim 1

above, and further in view of Kawan et al. (US# 7,039,812).

Referring to claim 19, Hsu et al. in view of Saito et al. disclose the apparatus of

claim 1 above. However, Hsu et al. in view of Saito et al. did not explicitly disclose

wherein the automatic image recognizer further comprises image recognition means

for recognizing a substantially current image as matching information that corresponds

to a predetermined image standard by at least a predetermined threshold. Threshold

could be calculated according to the image. If the image will be hard to recognize then

threshold is lowered.

In the same field of endeavor of garage door system, Kawan et al. teach wherein

the automatic image recognizer further comprises image recognition means for

recognizing a substantially current image as matching information that corresponds to

a predetermined image standard by at least a predetermined threshold. Threshold

could be calculated according to the image. If the image will be hard to recognize then

threshold is lowered (col. 9 lines 33-67 and col. 10 lines 39-49).

It would have been obvious to provide calculating a threshold of an image for the

same reason with respect to claim 25 above.

Referring to claim 20, Hsu et al. in view of Saito et al. and Kawan et al. disclose

the apparatus of claim 19,Kawan et al. disclose wherein the automatic image

recognizer further comprises a user adjustment interface such that a user can modify

the predetermined threshold (col. 9 lines 33-67 and col. 10 lines 39-49).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Ben Ze'ev (US# 6,791,467) discloses the remote controller controlling plurality of

units.

Hsu et al. (US# 6,100,811) disclose the biometric for authentication the vehicle

locking unit.

Any inquiry concerning this communication or earlier communications form the

examiner should be directed to Scott Au whose telephone number is (571) 272-3063.

The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Hofsass can be reached at (571) 272-2981. The fax phone numbers

for the organization where this application or proceeding is assigned are (571)-272-

1817.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 571-272-

3050.

Scott Au

JEFFERY HOFSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600